Appl. No.: 09/693,060
Amdt. dated 03/20/2006
Reply to Office action of 12/21/2005

REMARKS

Applicants initially express their appreciation for the Examiner's consideration of the proposed amendment discussed during the telephonic interview of February 10, 2006. This response is submitted with a request for continued examination (RCE) and appropriate fee in reply to the final Office Action dated December 21, 2005. Claims 1-24 currently stand rejected. Applicants have amended claims 1, 10 and 17 to more particularly point out the patentable differences between the claims of the present application and the cited references. No new matter has been added by the amendment which finds support at least in priority documents. Specifically, the recitation "via a packet translation learned during a self configuration" finds support at least at col. 11, lines 43-46 of U.S. Patent No. 6,130,892 entitled "Nomadic Translator or Router". U.S. Patent Application No. 09/041,534 filed on March 2, 1998. which ultimately issued as U.S. Patent No. 6,130,892, was included as Attachment H of U.S. Provisional Application Serial No. 60/111,497 filed on December 8, 1998, which the present application incorporates by reference in its entirety. The specification has been amended to expressly incorporate the recitation described above.

In light of the amendment and the remarks presented below, Applicants respectfully request reconsideration and allowance of all now-pending claims of the present invention.

Claim Rejections - 35 USC §102

Claims 1-16 currently stand rejected under 35 U.S.C. §102(e) as being anticipated by Sitaraman et al. (U.S. Patent No. 6,385,653, hereinafter "Sitaraman").

Independent claim 1 has been amended to recite, *inter alia*, the gateway device enables the source computer to access any network regardless of network configurations via a packet translation function learned during a self configuration. In other words, **regardless of a network's configuration**, the computer can communicate with the network via the gateway device following a self configuration to learn an appropriate translation function. As will be appreciated, the transparency of access achieved by the claimed invention will be of substantial and welcome assistance to at least those computer users who may travel about and need to log on via different networks since those computer users need no longer manually reconfigure their

Appl. No.: 09/693,060
Amdt. dated 03/20/2006
Reply to Office action of 12/21/2005

computers upon attempting to access a different network. Instead, the gateway device of the claimed invention can perform such a reconfiguration on behalf of the computer user.

Sitaraman is directed to a protocol gateway for providing uniform delivery of service. Sitaraman discloses a protocol layer (110) that includes a plurality of protocol handlers and ports (158), (162), (164) (FIGS. 2 and 3 and col. 6, lines 16-28). Each of the ports (158), (162), (164) is configured to support the application protocol used by a respective client (col. 6, lines 31-32). To accomplish robust service capability, a number of ports with different protocol capabilities are employed (col. 6, lines 33-40 and FIG. 3). Thus, the protocol layer (110) does not enable a computer to communicate with the network regardless of network configurations via a packet translation that is learned during a self configuration. To the contrary, the protocol layer only supports clients who utilize one of the specific application protocols for which a protocol handler has been installed, and not other protocols. In this regard, if the computer attempts to communicate with the network, the protocol gateway of Sitaraman must first determine if the protocol is supported (col. 6, lines 49-51). If the protocol is supported, the protocol gateway of Sitaraman allows data packets to be routed to an appropriate protocol handler (col. 6, lines 51-56, col. 7, lines 2-6, 11-15 and 19-22). If the protocol is not supported, however, the computer user will be unable to communicate with the network. While it may be argued that a new protocol handler could be added to accommodate a previously unsupported protocol, Sitaraman still fails to teach or suggest that an appropriate protocol handler could be provided or learned during a self configuration as in the claimed invention. Thus, Sitaraman neither teaches nor suggests the gateway device enables the source computer to access any network regardless of network configurations via a packet translation function learned during a self configuration as claimed in independent claim 1. Accordingly, independent claim 1 is not anticipated or rendered obvious by Sitaraman.

Applicants submit that independent claim 10 has been amended to recite a system having substantially similar subject matter as the method of independent claim 1 with respect to enabling access to any network regardless of network configurations via a packet translation function learned during a self configuration. Thus, independent claim 10 is patentable for at least the same reasons as given above for independent claim 1. Claims 2-9 and 11-16 depend

9 of 11

BEST AVAILABLE COPY

Appl. No.: 09/693,060
Amdt. dated 03/20/2006
Reply to Office action of 12/21/2005

either directly or indirectly from independent claims 1 and 10, respectively, and thus include all the recitations of their respective independent claims. Therefore, dependent claims 2-9 and 11-16 are patentable for at least the same reasons as given above for their respective independent claims.

Accordingly, Applicants respectfully submit that the rejections of claims 1-16 are overcome.

Claim Rejections - 35 USC §103

Claims 17-24 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Sitaraman, in view of Bowker et al. (U.S. Patent No. 6,317,790, hereinafter "Bowker").

Applicants have amended claim 17 to recite, inter alia, receiving at the gateway device a request from the source to access the network regardless of network configurations via a packet translation function learned during a self configuration.

As stated above, Sitaraman fails to teach or suggest receiving at the gateway device a request from the source to access the network regardless of network configurations via a packet translation function learned during a self configuration as claimed in independent claim 17. Bowker is directed to a system for interrupting client requests in a web environment. There is no teaching or suggestion in Bowker of receiving at the gateway device a request from the source to access the network regardless of network configurations via a packet translation function learned during a self configuration, and Bowker is not cited for such a proposition. Thus, the cited references, either individually or in combination, fail to render independent claim 17 obvious. Claims 18-24 depend either directly or indirectly from independent claim 17, and thus include all the recitations of independent claim 17. Dependent claims 18-24 are patentable for at least those reasons given above for independent claim 17.

Accordingly, Applicants respectfully submit that the rejections of claims 17-24 are overcome.

Appl. No.: 09/693,060
Amdt. dated 03/20/2006
Reply to Office action of 12/21/2005

CONCLUSION

In view of the amended claims and the remarks submitted above, it is respectfully submitted that the present claims are in condition for immediate allowance. It is therefore respectfully requested that a Notice of Allowance be issued. The Examiner is encouraged to contact Applicants' undersigned attorney to resolve any remaining issues in order to expedite examination of the present invention.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.
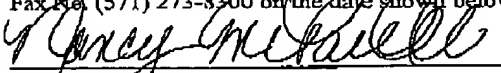
Respectfully submitted,

Chad L. Thorson
Registration No. 55,675

Customer No. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Charlotte Office (704) 444-1000
Fax Charlotte Office (704) 444-1111

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office at Fax No. (571) 273-8300 on the date shown below.

Nancy McPartland   Date   3-21-06
CLT01/480632/v1